

09-12-05

FW

Express Mail No. EV 371754299 US



PATENTS
CDSI-P01-040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Ashton et al.
Application No. : 10/762421 Confirmation No. : 4529
Filed : January 22, 2004
For : SUSTAINED RELEASE DEVICE AND METHOD FOR
OCULAR DELIVERY OF CARBONIC ANHYDRASE
INHIBITORS
Group Art Unit : 1615
Examiner : Thurman K. Page

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER FOR
INFORMATION DISCLOSURE STATEMENT

Sir:

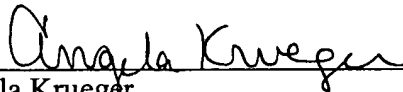
Transmitted herewith are an Information Disclosure Statement and an accompanying Form PTO/SB/08a (submitted in duplicate) for the above-identified patent application.

This Statement is submitted more than three months from the patent application filing date, but before the mailing date of the first Office Action on the merits. In accordance with 37 C.F.R. § 1.97(b)(3), submission of this Statement requires no fee.

The Director is hereby authorized to charge payment of any fees required in connection with this Statement to Deposit Account No. 06-1075, Order No. CDSI-P01-040. A duplicate copy of this letter is transmitted herewith.

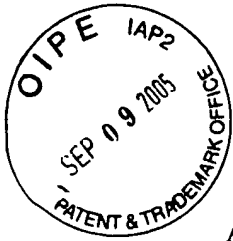
September 9, 2005

Respectfully submitted,



Angela Krueger

Registration No.: 47,723
Fish & Neave IP Group
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090
Attorneys/Agents for Applicant



CDSI-P01-040
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ashton et al.
Application No. : 10/762421 Confirmation No. : 4529
Filed : January 22, 2004
For : SUSTAINED RELEASE DEVICE AND METHOD FOR
OCULAR DELIVERY OF CARBONIC ANHYDRASE
INHIBITORS
Examiner : Thurman K. Page
Group Art Unit : 1615

New York, New York 10020
September 9, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, but before the mailing date of the first Office Action on the merits. In accordance with 37 C.F.R. § 1.97(b)(3), submission of this statement requires no fee.

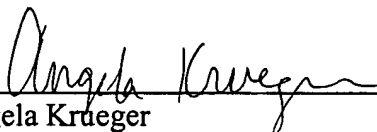
A copy of each foreign patent document and non-patent literature reference on PTO/SB/08 is attached.

In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(a) exists. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. 1.98 and the Examiner is respectfully requested to consider the listed references.

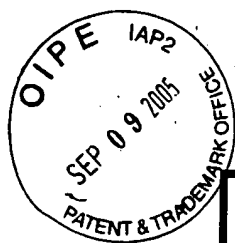
The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. CDSI-P01-040. A duplicate copy of this paper is enclosed.

Respectfully submitted,



Angela Krueger

Registration No.: 47,723
Fish & Neave IP Group
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax: (212) 596-9090
Attorneys/Agents for Applicant



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANTS (use as many sheets as necessary)				Complete if known	
				Application Number	10/762421
				Confirmation No.	4529
				Filing Date	January 22, 2004
				First Named Inventor	Ashton et al.
				Art Unit	1615
				Examiner	Page, Thurmank
Sheet	1	of	2	Attorney Docket Number	CDSI-P01-040

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	AA	US 6,375,972	23 April 2002	Ashton, et al.	
	AB	US 5,902,598	11 May 1999	Ashton, et al.	
	AC	US 6,196,993	6 March 2001	Cohan, et al.	
	AD	US 5,378,475	3 January 1995	Blandford, et al.	
	AE	US 6,051,576	18 April 2000	Ashton, et al.	
	AF	US 5,773,019	30 June 1998	Ashton, et al.	
	AG	US 4,014,355	29 March 1977	DiMatteo, et al.	
	AH	US 4,283,394	11 August 1981	West, et al.	
	AI	US 4,260,736	7 April 1981	Asano, et al.	
	AJ	US 6,039,975	21 March 2000		
	AK	U.S. Application No. 60/482,677	26 June 2003	Su, et al.	
	AL	U.S. Application No. 60/501,947	11 September 2003	Guo, et al.	
	AM	US 2004/0176341	13 November 2003	Chou, et al.	
	AN	US 2004/0009222	15 January 2004	Chou, et al.	
	AO	US 3,630,200	28 December 1971		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANTS (use as many sheets as necessary)				Complete if known	
				Application Number	10/762421
Sheet 2 of 2				Confirmation No.	4529
				Filing Date	January 22, 2004
				First Named Inventor	Ashton et al.
				Art Unit	1615
				Examiner	Not yet assigned
				Attorney Docket Number	CDSI-P01-040

FOREIGN PATENT DOCUMENTS						
Examiner initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ¹ - Number ² - Kind Code ³				
	BA	WO 97/11655				
	BB	EP 0462959 A				

NON PATENT LITERATURE DOCUMENTS			
Examiner initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
	CA	Barre-Sinoussi, et al., Science, 220, pp. 868-70 (1983)	
	CB	Gallo, et al., Science, 224, pp. 500-3, (1984)	
	CC	Dalglish, et al., Nature, 312, pp. 763-67 (1984)	
	CD	Klatzmann, et al., Nature, 312, pp. 767-68 (1984)	
	CE	Maddon, et al., Cell, 47, pp. 333-48 (1986)	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--